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Secretary for
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State Water Resources Control Board

Division of Water Quality

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Arnold Schwarzenegger
Governor

NOTICE OF PUBLIC WORKSHOP

STATE WATER RESOURCES CONTROL BOARD / CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD JOINT WORKSHOP REGARDING THE CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD'S IRRIGATED LANDS PROGRAM

September 13, 2007 - 1 p.m.
City of Clovis Council Chambers
1033 Fifth Street
Clovis, California 93612

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) and the Central Valley Regional Water Quality Control Board (Central Valley Water Board) will hold a joint public workshop regarding the Central Valley Water Board's Irrigated Lands Program. This workshop will give interested members of the agricultural community, agencies involved with agriculture, and the public an opportunity to hear Central Valley Water Board staff provide an update on the implementation of the Irrigated Lands Program and provide comments and recommendations to the State/Central Valley Water Boards. The workshop will be held at the time and place noted above. Interested parties are invited to provide comments and recommendations concerning the Irrigated Lands Program.

Subsequent to this public workshop, the State Water Board and Central Valley Water Board will consider whether further action regarding the Irrigated Lands Program is necessary.

A quorum of State Water Board and Central Valley Water Board members may be present at the workshop. No action will be taken by the State Water Board or the Central Valley Water Board at the workshop.

BACKGROUND

Senate Bill 390 (SB 390)¹, signed into law on October 6, 1999, required Regional Water Quality Control Boards (Regional Water Boards) to review their existing waivers of waste discharge requirements (WDRs) and to either renew them or replace them with general or individual WDRs. Under SB 390, waivers that were not reissued automatically expired on January 1, 2003. To comply with the requirements of SB 390, the Regional Water Boards adopted conditional waivers for various discharge categories. Some of those waivers covered discharges from agricultural lands, which include irrigation return flow, flows from tile drains, and storm water runoff. These discharges can affect water quality by transporting pollutants

¹ Senate Bill 390 (CHAPTER 686 Statutes of 1999) An act to amend Sections 13269 and 13350 of the Water Code, relating to water. [Approved by Governor October 6, 1999. Filed with Secretary of State October 10, 1999 and subsequent amendments.]

including pesticides, sediment, nutrients, salts, pathogens, and heavy metals from cultivated fields into surface waters. Groundwater can also be affected by pesticides, nitrate, and salt.

To address water quality impairments caused by discharges from irrigated agricultural lands, the Central Valley Water Board adopted Conditional Waivers in 2003. The 2003 Conditional Waivers were later extended until June 2006. On June 22, 2006, the Central Valley Water Board adopted the 2006 Conditional Waivers. These waivers have been and continue to be a matter of great interest to the State Water Board and other parties.

In July 2006, several environmental and agricultural interest groups filed petitions with the State Water Board challenging the Central Valley Water Board action of adopting the 2006 Conditional Waivers on various grounds. On May 17, 2007, the State Water Board dismissed the petitions. Nevertheless, the State Water Board has concerns about the rate of progress the Central Valley Water Board Irrigated Lands Program is making to address water quality impairments and has elected to hold a joint workshop to gather information and evaluate the current status of the program.

Central Valley Water Board staff will address the following issues at the workshop. The State and Central Valley Water Boards are also seeking public comments on these issues.

Monitoring and Reporting Program (MRP)

- What revisions does staff recommend making to the MRP?
- What questions does the Central Valley Water Board believe will be answered by the revised MRP?
- Does the Central Valley Water Board intend that the revised MRP will require compliance with Surface Water Ambient Monitoring Program (SWAMP) standards?
- What actions do Central Valley Water Board staff recommend to ensure that the revised MRP will be fully implemented by the coalitions?

Discharger Participation

- Is current participation by growers in the Irrigated Lands Program at satisfactory levels?
- What actions do Central Valley Water Board staff plan to take to increase levels of participation?

Water Quality/Management Plans

- What data does the Central Valley Water Board have on exceedances of water quality objectives in surface water bodies within the Central Valley that receive agricultural discharges? Is the data reliable and of good quality?
- What data does the Central Valley Water Board have on exceedances of water quality objectives in groundwater within the Central Valley that receive agricultural discharges? Is the data reliable and of good quality?
- What actions do the Central Valley Water Board staff and the coalitions plan to take to address any violations of water quality objectives that are found?
- Will Central Valley Water Board staff recommend requiring the preparation and implementation of more management plans in response to violations that are found?
- Do Central Valley Water Board staff expect that the use of such management plans will fully address the elements of the State Water Board's nonpoint source policy?

Coalition Compliance with Waiver Conditions

- How will the Central Valley Water Board track failure to comply with waiver conditions?
- Does the Central Valley Water Board plan to issue notices of violations when a waiver condition, such as a failure to submit a report, is not met?
- Do Central Valley Water Board staff intend to recommend decertification of coalitions that engage in a continuing series of violations?

Coordination with Other Agencies

- What is the Central Valley Water Board currently doing to coordinate with other agencies involved with agriculture, including the Department of Pesticide Regulation, Department of Food and Agriculture, County Agricultural Commissioners, Resource Conservation Districts, and the U.C. Extension Farm Advisors?
- What does the Central Valley Water Board plan to do to coordinate with these agencies in the future?

Long Term Program

- What is the current status of the Central Valley Water Board's plan to develop a long term program to address agricultural discharges, including threats posed to groundwater?
- What is the schedule for adopting the final program?

SUBMISSION OF COMMENTS

Written comments are welcome and encouraged and will be available for Board Member discussion at the workshop only if received by **12 p.m. on September 4, 2007**. Oral presentation should summarize written comments. Time limitations on presentation may be imposed. Please coordinate oral presentations with others with similar comments. For other presentation recommendations, see "Presentations to the Board" at <http://www.waterboards.ca.gov/board.html>. Written comments are to be addressed and submitted to:

Ryan Maughan
Division of Water Quality
State Water Resources Control Board
1001 I Street, 15th Floor
Sacramento, CA 95814
Fax: (916) 341-5584

E-mail comments should be sent to rmaughan@waterboards.ca.gov.

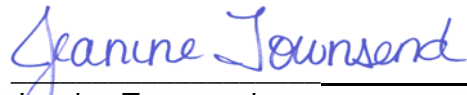
Please also indicate in the subject line, "**Comment Letter – September 13, 2007 Irrigated Lands Program Joint Workshop.**"

Please direct questions about this notice to Johnny Gonzales, Division of Water Quality, at (916) 341-5510 (jgonzales@waterboards.ca.gov) or Senior Staff Counsel Ted Cobb at (916) 341-5171 (tcobb@waterboards.ca.gov).

PARKING AND ACCESSIBILITY

There is parking available in lots behind and near City Hall, and there are metered parking spaces in the vicinity of the building. The facility is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Adrian Perez, at (916) 341-5880, at least five working days prior to the public hearing date. Persons with hearing or speech impairments can contact us by using the California Relay Service TDD. TDD (Telecommunications Device for the Deaf) is reachable only from phones equipped with a TDD Device. HEARING IMPAIRED RELAY SERVICE: TDD to voice 1-800-735-2929, Voice to TDD 1-800-735-2922.

August 8, 2007
Date



Jeanine Townsend
Acting Clerk to the Board